

Application No. 09/664,969
Amendment Dated April 27, 2006
In Reply to Office Action dated January 30, 2006

Remarks

Claims 1-52 are pending.

Claims 1, 27 and 49 are objected to.

Claims 1-52 stand rejected.

Claims 1, 21, 27, 37 and 49 have been amended.

Claims 1-52 are submitted herein for review.

No new matter has been added.

In paragraph three of the Office Action, the Examiner has objected to claims 1, 27 and 49 for containing minor informalities. Applicants have amended these claims accordingly and respectfully request that these objections be withdrawn.

In paragraph 4 of the Office Action, claims 1-50 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Rozen et al. (U.S. Patent No. 6,073,106) in view of James et al. (U.S. Patent No. 6,742,161). Also, in paragraph 54, claims 51 and 52 are rejected as above, further in view of Sheehan et al. (U.S. Patent No. 6,311,163).

Applicants respectfully disagree with Examiner's contentions and submit the following remarks in response.

The present invention as claimed in claim 1 is directed to a system comprising a means for receiving various types of information from a plurality of corresponding sources of the information via facsimile devices. The facsimile devices are configured to transmit a facsimile image of a document containing the various types of information relating to an account, along with a separate facsimile form having a coded information thereon, where the coded information

Application No. 09/664,969
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used to associate the document with the account.

A means for communicating with an interactive user device is provided. A processor is coupled to the interactive user device via Internet and to the facsimile devices via a public-switched telephone network. The processor is further configured to receive from the facsimile devices a transmission of the facsimile image of the documents and the separate facsimile form. The processor is configured to automatically store the transmitted facsimile image of the document in a database location relating to the account associated with the coded information on the separate facsimile form and to provide to an authorized user of the interactive user device, upon request at any time, access to the facsimile image of the document.

Independent claims 17, 21, 37 and 41 also each maintain at least the feature that various types of information relating to an account are being stored in a memory location associated with the same account.

As noted in the previous amendment, in this arrangement the present invention provides a means, for example, for a patient to efficiently and safely maintain numerous medical files corresponding to the patient in a central location, for easy retrieval by them and their physicians at a later time. To this end, the present invention provides a system for accepting medical or other such records from a plurality of providers, such as different medical offices, and storing that information in a centralized arrangement. Using an account coded cover page, corresponding to the patient, each of the various records from the different locations can all be readily identified by the system and associated with the correct account.

In this arrangement the present invention uses a fax cover sheet with some form of patient ID, such as a barcode, to fax the cover sheet and the patient's medical information to a server for storage in a database. Thus, any facsimile machine can be used as long as the

Application No. 09/664,969
Amendment Dated April 27, 2006
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corresponding fax cover sheet with the correct ID (barcode) is used.

In forming the rejection the Examiner cites to the Rozen and James references. Rozen relates to a system where medical information is sent via a questioner to the server. If there are any medical documents that need to be stored, the sender can fax them. Thereafter, the server needs to manually scan the received fax and then store the scanned document.

Rozen does not teach or suggest the present invention as claimed. For example, there is no teaching or motivation in Rozen to automatically store the faxed medical documents in a memory location, associated with an account. As specifically stated in Rozen, the participant mails or faxes medical documents to the service provider and the mailed or faxed documents are scanned by the service provider into the participant's file. *See* Rozen at Col. 6 line 60, to Col. 7, line 1. Thus Rozen teaches storage of documents for further access, but does not teach storing the faxed documents. The faxed documents must be scanned manually at the server side, presumably by someone located at the server side.

James has to do with a remote OCR (Optical Character Recognition) application. Since the OCR application is located remotely, it can be continuously updated and all users can benefit from an updated system without the need to regularly install new software updates. Each user can send document that need to be OCR'd to the server. The server processes the documents (by OCR), and the record is sent back to the user. If the user does not have a scanner, they can fax the document to the server. The fax cover sheet could have a bar code to identify the user. The faxed document is then processed (by OCR) and returned back to the user.

As such, James does not teach or suggest the present invention as claimed. For example, there is no teaching or motivation in James to provide a system, ***wherein the document being faxed contains various types of information relating to an account.*** James does not discuss the

Application No. 09/664,969
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contents of the documents that it intends to OCR. Furthermore, James does not teach or suggest an arrangement wherein the coded information on the fax cover sheet is associated with the account whose related information is contained in the faxed documents. The coded information in James is used to identify the user of the system who wants to OCR the documents that it is sending to the remote server. The server uses that information to send back the OCR'd document back to the user based on the user preferences. *See* James col. 6, lines 26-56. Furthermore, there is no provision in James for automatically storing the faxed document at the server, because there is no need for such a storage step.

As such, Applicants respectfully submit that the cited prior art, either alone or in combination with one another do not teach or suggest the present invention as claimed. For example, even if the two references were combined as suggested by the Examiner, the resulting system would still not teach or suggest a processor coupled to the interactive user device via Internet and to the facsimile devices via a public-switched telephone network, where faxed documents contain information relating to an account, and wherein the processor is further configured to receive from the facsimile devices a transmission of the facsimile image of the document and the separate facsimile form, *where the processor automatically stores the facsimile image of the document in a database location relating to the account associated with the coded information on the separate facsimile form.*

It is apparent that the Examiner has used the present invention as a blue print to combine prior art references in order to reject the claims. Applicants respectfully submit that this approach is not acceptable under MPEP and numerous CAFC holdings.

In view of the foregoing Applicants respectfully submit that pending claims 1-52 are now in condition for allowance, the earliest possible notice of which is earnestly solicited. If the

Application No. 09/664,969
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Examiner feels that an interview would facilitate the prosecution of this Application he is invited to contact the undersigned at the number listed below.

Respectfully submitted,

SOFER & HAROUN, L.L.P.

By

A handwritten signature in black ink, appearing to read 'Joseph Sofer', is written over a horizontal line.

Joseph Sofer
Reg. No. 34,438
317 Madison Avenue
Suite 910
New York, NY 10017
(212) 697-2800

Dated: 4/27/06